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**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

Medical Examiners Panel Appeal

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11. *Journal of the American Medical Association*, 1997; 278: 1019-1024.

[illegible]

The report by the Medical Examiners Panel discusses all submitted evaluations. The Panel, based on the evaluation of submitted information and the medical consultant's review, found, with a reasonable degree of medical certainty, that the appellant has a significant cardiac impairment or functional limitation that would limit his ability to perform the essential functions of or cause a direct threat to himself or others as a County Correction Officer. Therefore, it recommended that the appellant's name be removed from the eligible list.

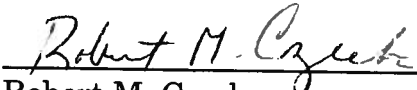
Having considered the record and the Medical Examiners Panel's report and recommendation issued thereon and having made an independent evaluation of same, the Civil Service Commission accepted and adopted the findings and conclusions as contained in the attached medical Examiners Panel's report and recommendation.

ORDER

The Civil Service Commission finds that the appointing authority has met its burden of proof that F.P. is not medically fit to perform effectively the duties of the title and, therefore, the Commission orders that his name be removed from the subject eligible list.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION
ON THE 13th DAY OF AUGUST 2014


Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachments

c: F.P.
Alan Abramowitz, Essex County
Kenneth Connolly

REPORT

DATE: January 16, 2014

TO: Civil Service Commission
State of New Jersey

FROM: Medical Examiners Panel
Lawrence D. Budnick, MD, Chairman

RE: Appeal of F█████ P█████ to be an Essex County Corrections Officer Recruit

Background: Mr. F█████ P█████ applied to be an Essex County Department of Corrections - Corrections Officer Recruit. He is appealing the April 23, 2012, preplacement medical evaluation that found him to be not medically fit for appointment due to morbid obesity, hypertension, abnormal urinalysis and cardiac issues. The Medical Examiners Panel considered the appeal on January 16, 2014. The appellant was present at the meeting. There was no representative from the Department of Corrections present.

Findings: Mr. P█████ underwent a medical examination on April 15, 2013, which revealed weight 283 pounds, blood pressure 190/122 mm Hg, and urine protein of 500 mg/dL. His physician, Dr. Neil Lyman, reported on April 18, 2013, that he had severe hypertension, chronic renal disease and morbid obesity, status post gastric banding (done in December 2012). His blood pressure that day was 180/110 mm Hg. His serum creatinine was 2.07 mg/dL and he estimated a daily protein excretion of 5 grams per day. His cardiologist, Dr Paul Wangenheim, reported on May 2, 2013, that Mr. P█████ has a dilated non-ischemic cardiomyopathy, with normal coronary arteries and an ejection fraction of 20%. He has an automatic implantable cardioverter-defibrillator and a history of hypertension. His medications include Norvasc, Coreg, Altace and Allopurinol. At the time, he had a blood pressure of 150/90 mm Hg and his weight was 288 pounds. His most recent echocardiogram reportedly showed concentric hypertrophy, with an ejection fraction of 25%. His most recent ECG stress test by Bruce protocol reportedly showed him able to exercise for 7½ minutes, achieving a maximum heart rate of 73% predicted with abnormal ECG changes. A pharmacologic stress test was then done on May 1, 2013, which showed an ejection fraction of 20% and no evidence of ischemia. He works as an environmental services worker. He exercises about 2 days per week, 45 to 60 minutes per day, and does cardio exercises and the treadmill for about 1¼ miles.

Conclusions: Based on the evaluation of submitted information and the consultant's review, it appears with a reasonable degree of medical certainty that Mr. P█████ currently may have a significant cardiac impairment or functional limitation that would limit his ability to perform the essential functions of or cause a direct threat to himself or others in the job of a County Correction Officer.

RE: Appeal of F█████ P█████ to be a Corrections Officer Recruit
DATE: January 16, 2014

Recommendations: The Medical Examiners Panel recommends that Mr. F█████ P█████ be considered NOT physically capable to undergo the physical training and perform the essential functions of the job of a County Corrections Officer.



Lawrence D. Budnick, MD
Associate Professor of Medicine
Director, Occupational Medicine Service